

**REMARKS**

Claims 1-20 were rejected under 35 U.S.C. §102(e) as being anticipated by Imai et al., U.S. Patent No. 5,864,800 ("Imai"). Applicants respectfully disagree and traverse this rejection for at least the following reasons.

The present inventions are directed at systems and methods for processing audio signals which comprise, among other things, a data assembler for combining encoded data from a first encoder and from secondary encoders into an output data stream.

Imai does not disclose such a data assembler, as in claims 1-20 of the present invention.

The Office Action indicates that Imai discloses a data assembler (see page 3, lines 3 and 4), referring to FIG. 18 of Imai. Applicants respectfully submit that this excerpt from Imai relates to a decoder, not an encoder, as is required by the claims of the present invention.

More specifically, Imai states that "the decoder (reproducing side) is now explained" (see column 14, line 32). Thereafter, Imai discusses a decoding unit with reference to FIGS. 17 and 18, not an encoding unit.

In sum, because Imai does not disclose a data assembler for combining encoded data from a first encoder and secondary encoders into an output data stream, Imai cannot anticipate claims 1-20 of the present invention.

Accordingly, Applicants respectfully request withdrawal of the pending rejections and allowance of claims 1-20.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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